

1973

## c 68 The Liquor Licence Amendment Act, 1973

Ontario

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## CHAPTER 68

**An Act to amend The Liquor Licence Act**

*Assented to June 22nd, 1973  
Session Prorogued March 5th, 1974*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *The Liquor Licence Act*, being chapter 250<sup>s. 1, amended</sup> of the Revised Statutes of Ontario, 1970, as amended by the Statutes of Ontario, 1971, chapter 35, section 1, is further amended by adding thereto the following paragraph:

3a. "canteen" means a wardroom, mess, cafeteria, dining area, common room, or other room to which the public is not ordinarily admitted situated in or on a base, station, camp, campus, institution or other facility of,

- i. the Canadian Armed Forces, for the use of the active or reserve units thereof and their guests,
- ii. a public police force, for the use of the members thereof and their guests,
- iii. a university, college, community college or other publicly financed post-secondary educational facility for the use of the faculty, staff and students thereof and their guests, and
- iv. a hospital, rest home, convalescent home, home for the aged or other similar institution used by the patients, residents and staff thereof and their guests,

and that has the special accommodation, facilities and equipment prescribed by the regulations.

(2) Paragraph 7 of the said section 1 is repealed and the following substituted therefor: <sup>s. 1, par. 7, re-enacted</sup>

7. "establishment" means an aircraft, canteen, club, hotel, inn, public house, railway car, recreational facility, resort, restaurant, steamship, tavern or theatre having premises that comply with the requirements of this Act and the regulations prescribing the qualifications of premises in respect of which licences may be issued.

s. 1, par. 17,  
repealed

- (3) Paragraph 17 of the said section 1 is repealed.

s. 1, par. 20,  
re-enacted

- (4) Paragraph 20 of the said section 1 is repealed and the following substituted therefor:

20. "permit" means a permit provided for and issued under this Act and the regulations.

s. 1,  
amended

- (5) The said section 1 is further amended by adding thereto the following paragraph:

- 22a. "recreational facility" means a golfing, skiing or curling facility or other similar facility prescribed by regulation that has the special accommodation, facilities and equipment that are prescribed by the regulations.

s. 1, par. 28,  
re-enacted

- (6) Paragraph 28 of the said section 1 is repealed and the following substituted therefor:

28. "theatre" means premises equipped and used to stage public performances of dramatic, musical or cultural entertainment, or such premises used, in addition to the staging of such public performances, to show motion pictures from time to time for periods not exceeding, in each year, those prescribed by regulation and having the special accommodation, facilities and equipment that are prescribed by the regulations for any of the following classes of licences:

- i. dining lounge licence,
- ii. dining room licence,
- iii. lounge licence.

ss. 23, 24,  
re-enacted

2. Sections 23 and 24 of the said Act are repealed and the following substituted therefor:

Canteen  
permit

23. The Board may issue a licence or licences to,

- (a) the officer commanding or other person responsible for and having under his control a canteen in or on a base, station or camp of the Canadian Armed Forces that is designated to the Board by the Minister of National Defence for Canada;
- (b) the officer commanding or other person responsible for and having under his control a canteen in or on a base, station or camp of any public police force;
- (c) the chief administrative officer or other person who is responsible for and has under his control a canteen in or on a campus or building of a university, college, community college or other publicly financed post-secondary educational facility; or
- (d) the chief administrative officer or other person who is responsible for and has under his control a canteen in a hospital, rest home, convalescent home, home for the aged or other similar institution.

24.—(1) The Board may, subject to this Act and the <sup>Licences</sup> regulations, and subject to the local option provisions of any Act of the Parliament of Canada or of the Legislature, issue to the owner of an establishment in respect of the following classes of establishments, a licence or licences of one or more of the classes indicated:

1. Aircraft, railway cars, or steamships having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which each licence is issued,
  - i. dining lounge licence,
  - ii. dining room licence,
  - iii. lounge licence,
  - iv. public house licence.
2. Canteens, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which each licence is issued,
  - i. dining lounge licence,
  - ii. dining room licence,



- iii. lounge licence,
  - iv. public house licence.
3. Clubs, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which a licence is issued,
- i. a club licence,
  - ii. a club licence (restricted).
4. Hotels and inns, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which each licence is issued,
- i. dining lounge licence,
  - ii. dining room licence,
  - iii. lounge licence,
  - iv. public house licence,
- and taverns and theatres, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which each licence is issued,
- v. dining lounge licence,
  - vi. dining room licence,
  - vii. lounge licence,

but the Board shall not issue a dining lounge licence or a lounge licence to a hotel, inn, tavern or theatre situated in a municipality in which such licences have not been issued heretofore to hotels, inns, taverns or theatres unless or until an affirmative vote has been taken on question 8 or 9, as the case may be, of subsection 1 of section 73, and section 73 applies *mutatis mutandis* to such vote whether or not a by-law mentioned in section 71 is in force therein.

5. Public houses, having special accommodation, facilities and equipment prescribed by the regulations

for the designated parts of the establishment in respect of which a licence is issued,

- i. public house licence,
  - ii. dining room licence.
6. Recreational facilities, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which the licence is issued,
- i. dining lounge licence,
  - ii. dining room licence,
  - iii. lounge licence,
  - iv. public house licence.
7. Resorts, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which a licence is issued,
- i. dining lounge licence,
  - ii. dining room licence.
8. Restaurants, having special accommodation, facilities and equipment prescribed by the regulations for the designated parts of the establishment in respect of which the licence is issued, a dining room licence.

(2) The Board shall not issue a dining room licence or a public house licence in any municipality in which such licences have not been issued, except in the case of,

Vote for  
dining room  
and public  
house  
licences

- (a) an establishment in respect of which an authority under *The Liquor Authority Control Act, 1944*, 1944, c. 33 including therein a privilege corresponding to the licence issued under this Act, was held on the 1st day of January, 1947; or
- (b) an establishment classified as a hotel, inn, club, railway car or steamship,

unless or until an affirmative vote has been taken on question 4, 5, 6 or 7, as the case may be, of subsection 1 of section 73, and section 73 applies *mutatis mutandis* to such vote whether or not a by-law mentioned in section 71 is in force therein.

Votes re  
resorts,  
canteens and  
recreational  
facilities

(3) Notwithstanding that an affirmative vote has not been taken therefor under section 73, the Board may issue the following classes of licences to,

(a) a canteen or recreational facility,

i. dining lounge licence,

ii. dining room licence,

iii. lounge licence; and

(b) a resort,

i. dining lounge licence,

ii. dining room licence.

s. 56,  
amended

3. Section 56 of the said Act, as amended by the Statutes of Ontario, 1971, chapter 98, section 4, is further amended by adding thereto the following subsection:

Cards as  
proof of  
age

(7) A person who sells or supplies liquor to another person or permits another person to enter or be upon licensed premises shall be deemed not to be in contravention of subsection 1, 2 or 5 if, before he sells or supplies the liquor or permits the other person to enter or be upon the premises, a card in the form prescribed under section 70a of *The Liquor Control Act* is produced to him by such other person which purports to be issued by the Liquor Control Board to the person producing it and if there is no apparent inconsistency on the face of the card or between the card and the person producing it.

R.S.O. 1970,  
c. 249

s. 86,  
amended

4. —(1) Section 86 of the said Act is amended by adding thereto the following clauses:

(ja) prescribing the facilities that are recreational facilities for the purposes of paragraph 22a of section 1;

(jb) prescribing the maximum periods in which motion pictures may be shown in theatres for the purposes of paragraph 28 of section 1.

s. 86 (m),  
amended

- (2) Clause m of the said section 86 is amended by striking out "or military mess" in the second line.

Commence-  
ment

5. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

6. This Act may be cited as *The Liquor Licence Amendment Act, 1973*.